

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

JUDITH K. ROGAN, INDIVIDUALLY AND )	
AS TRUSTEE OF THE JUDITH K ROGAN )	
REVOCABLE TRUST , )	
Plaintiff, )	No. 2:07-CV-403
v. )	
UNITED STATES OF AMERICA AND )	Judge Joseph S Van Bokkelen
DEXIA CREDIT LOCAL F/K/A DEXIA )	
PUBLIC FINANCE AND CREDIT BANK )	Magistrate Judge Paul R Cherry
AND CREDIT LOCAL DE FRANCE, )	
Defendants. )	

**UNITED STATES' MOTION TO EXTEND TIME TO ANSWER  
OR OTHERWISE PLEAD AND FOR A TEMPORARY STAY OF DISCOVERY**

The United States of America, by David Capp, Acting United States Attorney for the Northern District of Indiana, seeks 30 additional days to answer or otherwise plead to the complaint to and including February 11, 2008, and for a temporary stay of discovery pending resolution of the defendants' motion for transfer of venue, and in support of which states as follows:

1. Defendant Dexia has sought to transfer venue of this case to the United States District Court for the Northern District of Illinois, and the United States has joined in that motion. Briefing will be completed as of December 20, 2007.

2. The United States' initial responsive pleading is due 60 days after the removal of this matter from state court on November 9, 2007, which is January 9, 2008.

3. Pursuant to Fed. R. Civ. P. Rule 16, the court has ordered the parties to file a proposed discovery plan by January 5, 2008 in anticipation of a January 10, 2008 preliminary pretrial conference.

4. In the interest of judicial economy, the United States asks that the venue issue be determined prior to the requirement for a responsive pleading, which we anticipate will be a motion to dismiss. Furthermore, a motion directed to the sufficiency of the complaint, once filed, may also call into to question the need for an immediate exchange of discovery.

5. Co-defendant Dexia concurs with these motions. Counsel for Judith Rogan was consulted on these motions and opposes them.

6. Should the court grant this motion, the United States also asks that the court vacate its order setting this case for a telephone conference on January 10, 2008.

WHEREFORE, the United States asks for an additional 30 days to and including February 11, 2008 in which to respond to the complaint and for a temporary stay of discovery pending resolution of the defendants' motion to transfer venue.

Respectfully submitted,

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